

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD BRINSKELE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. 13-MISC-80094 JSW

**ORDER ADOPTING REPORT
AND RECOMMENDATION**


On July 3, 2013, Magistrate Judge Ryu issued a Report and Recommendation in which she recommended granting the United States of America's Application for a Writ of Garnishment. Any objections to the Report and Recommendation would have been due 14 days after a party was served with the Report. 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(a); N.D. Civ. L.R. 72-2. No party filed objections. However, it was not clear whether the Debtor and Garnishee had been served with copies of the Report and Recommendation. The Court has now considered the United States' response to the Order to Show Cause as to why the Report and Recommendation should not be served upon the Debtor, and it finds that service, at this time, is not necessary.

The Court also finds the Report and Recommendation thorough and well reasoned, and it adopts it in every respect. Accordingly, the United States' motion for a writ of garnishment is GRANTED. The Clerk of the Court shall issue a Writ of Garnishment to Vir2us, Inc. As Garnishee for the purpose of garnishing property (including nonexempt disposable earnings) in which Plaintiff and Judgment Debtor Edward A. Brinskele has a substantial nonexempt interest

1 in order to satisfy the judgment entered in the above-captioned case against the Judgment
2 Debtor.

3 **IT IS SO ORDERED.**

4 Dated: September 23, 2013


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE